

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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United States of America,

Plaintiff,

v.

All Assets Listed on Schedule I  
Attached Hereto and All Proceeds  
Traceable Thereto,

Defendants *in rem*.

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Civil Action No. 10 Civ. 4750 (JS)

**ECF CASE**

VERIFIED CLAIM AND STATEMENT OF  
INTEREST OF CLAIMANTS JEFFREY  
BROOKS, AS TRUSTEE; GEAR TO GEAR  
TRUST; AND PRIVATE TIME TRUST

Pursuant to Rule G(5)(a) of the Supplemental Rules for Admiralty or Maritime  
Claims and Asset Forfeiture Actions of the Federal Rules of Civil Procedure, Claimant Jeffrey  
Brooks as Trustee and Claimants Gear to Gear Trust and Private Time Trust (the "Claimant"),  
hereby make this formal claim and assert their interest in certain of the Defendants *in rem* in this  
action and hereby serve notice of their objection to any and all claims against their right, title and  
interest in said Defendants *in rem*, their right to restitution of the Defendants *in rem* and their  
right to defend the action.

In particular, Claimants have a claim to, interest in, and right to the following assets  
listed in Schedule I of the Verified Complaint *In Rem* filed in this action on or about October 15,  
2010:

1. \$1,000,000 on deposit at Jefferies & Company account 605-00057 in the  
name of Wildfire Holdings (Schedule I, Item No. 90), by virtue of their respective membership  
interests in said Wildfire Holdings, LLC.

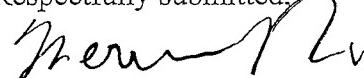
The interest in the Defendants *in rem* by virtue of which Claimants demand their restitution and the right to defend the action is all of the right, title and interest in said Defendants *in rem* as described herein.

Claimants also assert claims on their respective behalf in any Defendant *in rem* not specifically identified above as to which Claimants may have an ownership or other interest or right of claim. Claimants expressly reserve the right to amend, modify and/or supplement this Verified Claim and Statement of Interest in any respect.

Pursuant to Rule E(8) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions of the Federal Rules of Civil Procedure, Claimants appears before this Court for the limited purpose of asserting their rights to the Defendants *in rem*. Claimants' appearance in this action does not constitute an appearance for purpose of any other claim or consent to the jurisdiction of this Court or any other court over Claimants.

Dated: April 6, 2011

Respectfully submitted,



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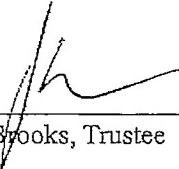
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Attorney for Claimants Jeffrey Brooks,  
as Trustee; Gear to Gear Trust and  
Private Time Trust

VERIFICATION

I, Jeffrey Brooks, as Trustee of Claimants Gear to Gear Trust and Private Time Trust, verify under penalty of perjury that I have read the foregoing Verified Claim and Statement of Interest and the foregoing is true and correct to the best of my knowledge and belief.

Executed on April 6, 2011 at New York, New York.

  
\_\_\_\_\_  
Jeffrey Brooks, Trustee

Sworn to before me this 6th day of  
April 2011

  
\_\_\_\_\_  
Notary Public

My commission expires: *November 15, 2014*

**ADJARATOU MAREME SY GORSKI**  
**Notary Public - State of New York**  
**No. 01SY8230990**  
**Qualified in Kings County**  
**My Commission Expires November 15, 2014**

CERTIFICATION OF SERVICE

I hereby certify that on April 6, 2011, true and correct copies of the attached Verified Claim and Statement of Interest were served by mail and filed electronically with the Clerk of Court to be served by operation of the Court's electronic filing system upon the following:

Kathleen A. Nandan, Esq.  
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*Merrill R.*  
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Merrill Rubin